ILLINOIS COMMERCE COMMISSION

December 29, 2005

Burlington Northern & Santa Fe Railway Company

Proposed installation of automatic flashing light signals with bell and gates controlled by constant warning time circuitry, in lieu of existing automatic flashing light signals with bell controlled by motion sensor circuitry at the grade crossing of Prairie Street in Aurora, Kane County, Illinois.

Crossing No. 069 719T

X-12392

T05-0035

Mr. Victor A. Modeer Division of Highways, IDOT ATTN: Jeff Harpring, Room 205 2300 South Dirksen Parkway Springfield, IL 62764 Mr. Michael L. Sazdanoff Kenneth J. Wysoglad & Associates 118 South Clinton Street, Suite 700 Chicago, IL 60661

BNSF Railway Company Mr. W. Douglas Werner, Esq. P.O. Box 961039 Fort Worth, TX 76161-0039 BNSF Railway Company Mr. Mark Leemon 80 44th Avenue, NE Minneapolis, MN 55421

Mr. Walter Adams Manager, Signals BNSF Railway Company 3611 West 38th Street Chicago, IL 60632

Dear Sir/Madam:

Enclosed please find a copy of a X-Resolution approved December 29, 2005, by the Railroad Safety Program Administrator of the Illinois Commerce Commission.

Processing and Information Section

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STATE OF ILLINOIS

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RESOLUTION

WHEREAS, a Form 3 petition was filed as aforesaid pursuant to 92 III. Adm. Code 1535.400(d) seeking approval by X-Resolution of a plan showing details of a proposed improvement at the subject grade crossing; and,

WHEREAS, the Commission staff has examined the petition and plan and is of the opinion that the proposed improvement is desirable in the interest of public safety and should be authorized.

BE IT HEREBY RESOLVED that the proposed improvement as shown by the petition and plan filed as aforesaid be and it is hereby authorized.

BE IT FURTHER RESOLVED that petitioner shall submit to the Director of Processing of the Commission's Transportation Division, within five (5) days of completion of the work herein authorized, a U.S. DOT Crossing Inventory Form (6180.71) as a notice of said completion.

Petition filed:

December 27, 2005

Petition approved:

December 29, 2005

Michael E. Stead Rail Safety Program

Administrator